

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PAUL J. McMANN,)
Plaintiff,)
)
v.) C.A. No. 12-11872-PBS
)
UNITED STATES OF AMERICA and)
ATTORNEY GENERAL ERIC HOLDER,)
Defendants.)

ORDER

1. The motion to use existing financial affidavit (Docket No. 17) and declaration (Docket No. 5) are construed as motions for leave to proceed in forma pauperis and are granted. Pursuant to 28 U.S.C. § 1915(b)(1), the Court assesses an initial partial filing fee of \$10..80. The remainder of the fee, \$339.20, shall be collected in accordance with 28 U.S.C. § 1915(b)(2).

2. The Clerk shall issue summonses for service of the complaint on defendants Holder and the United States.

3. The Clerk shall send the summonses, complaint, and this Order to the plaintiff, who must thereafter serve the defendants in accordance with Federal Rule of Civil Procedure 4(m). The plaintiff may elect to have service made by the United States Marshal Service. If directed by the plaintiff to do so, the United States Marshal shall serve the summonses, complaint, and this Order upon the defendants, in the manner directed by the plaintiff, with all costs of service to be advanced by the United States. Notwithstanding Fed. R. Civ. P. 4(m) and Local Rule 4.1, the plaintiff shall have 120 days from the date of this Order to

complete service.

4. The defendants are required to respond to the complaint. See 42 U.S.C. § 1997e(g)(2).

5. The motion for appointment of counsel (Docket No. 2) and motion for hearing (Docket No. 13) are denied without prejudice.

6. The motion to correct court record (Docket No. 16) is granted.

SO ORDERED.

March 26, 2013
DATE

/s/ Patti B. Saris
PATTI B. SARIS
UNITED STATES DISTRICT JUDGE